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February 10, 2011

BY EMAIL

U.S. Environmental Protection Agency
Region 4, Freedom of Information
SNAFC Building
61 Forsyth Street, SW, 9th Floor
Atlanta, GA 30303-8960

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Re: Freedom of Information Act ("FOIA") Request *\$250.*

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, I am requesting, on behalf of my client, the Alabama Coal Association ("ACA"), all records held by the Environmental Protection Agency ("EPA") pertaining to any correspondence to or from the Southern Environmental Law Center, the Black Warrior Riverkeeper, Inc., the Tennessee Riverkeeper, Inc., Friends of the Locust Fork River, Alabama Rivers Alliance, Inc. and/or any other environmental advocacy group in Alabama (collectively, "environmental organization(s)"), which concerns the Alabama Department of Environmental Management's ("ADEM") administration of any coal mine permitting processes and/or evaluations of coal mine permits.

Specifically, I am requesting records which may include, but are not limited to:

1. Any documents related to ADEM's permitting processes for coal mines in the State. Specifically, any evaluations, comments and/or correspondence concerning these permitting processes and the information relied upon in making these evaluations and/or comments by EPA or any environmental organizations.
2. Any EPA or environmental organization's evaluations, comments and/or correspondence concerning the National Pollution Discharge Elimination System ("NPDES") permitting processes in relation to coal mines and as administered by ADEM in Alabama.
3. Any correspondence between EPA and any environmental organization concerning an individual draft or final NPDES coal mine permit in Alabama, or other permits relating to coal mining activities, sent or received within the last two years.

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4. Any EPA or environmental organization's evaluations, comments and/or correspondence concerning the Alabama Surface Mining Commission ("ASMC") coal mine permitting processes in Alabama.
5. Any environmental or other studies and/or draft studies concerning coal mining effects on the waterways of Alabama.
6. Any documents, studies, data, notes, correspondence and/or other materials relied upon in responding to or evaluating the Oct. 1, 2010, letter from James G. Giattina (EPA Director of Water Protection, Region 4), to Ms. Glenda Dean (Chief, Water Division, ADEM) concerning draft NPDES permits for Alabama coal mines. The subject of the letter is "Draft Permit Review."
7. Any documents, studies, data, notes, correspondence and/or other materials relied upon in responding to or evaluating the November 9, 2010, letter from James G. Giattina to Ms. Glenda Dean concerning draft NPDES permits for Alabama coal mines. The subject of the letter is "Draft Permit Review."

For the purposes of this request, "records" includes all books, papers, maps, photographs, machine readable materials, electronic materials, or other documentary materials, regardless of physical form or characteristics, including all communications, letters, memoranda, notations, copies, e-mails, diagrams, studies, charts, minutes, tables, spreadsheets, formulas, directives, observations, impressions, contracts, letters, messages, mail, drafts, and tapes in the possession of EPA or its legal department. *See* 44 U.S.C. § 3301.

I am willing to pay the applicable fees for this request up to \$250 without further authorization. Should expected fees exceed this amount, please contact me for approval to proceed. Also please contact me if you need any clarification or other information to process this request.

I will accept responsive documents either in hard copy or electronic (PDF) format.

Sincerely,



P. Stephen Gidiere III

PSG:dp